

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of Jonathan DeLine	)	
	)	Confirmation # 2432
Application No. 10/708,433	)	
	)	
Filed: March 3, 2004	)	
	)	
Examiner: Marcos L. Torres	)	
Group Art Unit: 2617	)	
	)	
Title: APPARATUS FOR MOBILE	)	
TERMINAL DISPLAY	)	

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***RESPONSE TO NOTIFICATION OF NON-COMPLIANT APPEAL BRIEF  
 (37 CFR 41.37)***

In response to the Notification of Non-Compliant Appeal Brief mailed October 31, 2008, this response is being submitted to correct defects in the Appeal Brief for the instant matter.

**Defect under 37 CFR § 41.37(c)(1)(v)**

The examiner has noted that, under 37 CFR 41.37(c)(1)(v), an appeal brief is required to include a concise explanation of the subject matter defined in each of the independent claims involved in the appeal, which explanation shall refer to the specification. As specified by MPEP 1205.03, the following provides a concise explanation of the claimed subject matter, referring to claims 4 and 6 of the application. Reference numbers from the FIGs. are included

**Summary of Claimed Subject Matter**

The application includes two independent claims, claims 4 and 6.  
 Claim 4 defines a mobile terminal 20 comprising a housing 22 enclosing electronic components operable to transmit and receive telecommunication signals and user input means 72, 74 for providing user input to the mobile terminal 20. A display 30 electrically connected to the electronic components in the housing 22 is mounted to the housing 22 for movement from a first position where the display at least partially conceals the user input means 72, 74 and a second position such that the user input means

72, 74 is exposed and accessible to the user. A flip cover 24 is electrically connected to the electronic components in the housing 22 and includes user input means 34, 36 for providing user input to the mobile terminal 20. The flip cover 24 is pivotally mounted to the housing 22 and movable between a closed position where the inner major surface of the flip cover 24 is opposite an outer major surface of the display 30 when the display 30 is in the first position and an open position. The flip cover 24 is sized to substantially conceal the outer major surface of the display 30 and the inner major surface of the housing 22 when in the closed position. Display rotating means 50 (a rotational joint) for rotating the display 30 are interposed between the display 30 and the pivotal mounting for allowing the display 30 to rotate relative to the housing 22 and the flip cover 24 in a direction perpendicular to the axis of the pivotal mounting for positioning one of the major surfaces of the display 30 against the inner major surface of the housing 22 or the flip cover 24.

Claim 6 defines a mobile terminal as defined in claim 4 including a housing 22, a display 30, and a flip cover 24, and further comprising a rotational joint 50 mounted between the housing 22 and the display 30 for allowing the display 30 to rotate relative to the housing 22 and the flip cover 24 in a plane about an axis perpendicular to the longitudinal axis of the housing 22.

User input means on the housing 22 and the flip cover 24, as recited in claims 4 and 6, are described, for example, at paragraphs [0017], [0018] and [0032] of the specification for the flip cover, and paragraphs [0026] and [0032] for the housing as, *inter alia*, a keypad and keys and best seen in FIGs. 1 and 4-9.

A display rotating means is also recited in claim 4 and is described in the specification, wherein the display 30 is rotatably coupled to the housing 22 by a rotational joint 50 adjacent to the hinge 32 along a central longitudinal axis of the mobile terminal 20. See for example, paragraphs [0022]-[0025] and FIGs. 2 and 3.

### Conclusion

Applicant has amended his brief to include a concise explanation of independent claims 4 and 6. As such, Applicant respectfully submits that his brief is now in compliance with 37 CFR §41.37(c)(1)(v). Continuance of the appeal is respectfully requested.

Respectfully submitted,

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Date: 11-30-08

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